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In re Application of	:	
KIVISTO, Tuomo, et al.	:	
U.S. Application No.: 09/980,440	:	
PCT No.: PCT/FI00/00482	:	DECISION ON
Int. Filing Date: 30 May 2000	:	
Priority Date: 17 June 1999	:	PETITION
Attorney's Docket No.: OUTO 2366	:	
For: ARRANGEMENT FOR TREATING	:	UNDER 37 CFR 1.181
SOLIDS SETTLED ON THE BOTTOM	:	
OF AN ELECTROLYTIC TANK	:	

This decision is in response to applicants' "Request For Corrected Filing Receipt," filed in the United States Patent and Trademark Office on 28 October 2000.

BACKGROUND

On 30 May 2000, applicants filed international application PCT/FI00/00482, which claimed a priority date of 17 June 1999. A demand for international preliminary examination was filed 27 December 2000, prior to the expiration of nineteen months from the priority date. A copy of the international application was communicated to the United States Patent and Trademark Office by the International Bureau on 28 December 2000. The deadline for entry into the national stage in the United States was thirty months from the priority date, or 17 December 2001.

On 29 November 2001, applicants filed a transmittal letter for entry into the national stage in the United States accompanied by, *inter alia*, the basic national fee.

On 04 January 2002, applicants filed a letter entitled "Transmittal of Declaration," and a declaration of the inventors.

On 30 January 2001, the Office mailed a Notification of Missing Requirements Under 35 U.S.C. 371, indicating, *inter alia*, that an oath or declaration of the inventors in compliance with 37 CFR 1.497(a)-(b) was required.

On 15 February 2002, applicants filed a response to the Notification of Missing Requirements, attaching a copy of the postcard receipt indicating the declaration had been filed on 15 May 2001 and submitted a copy of the declaration.

On 08 March 2002, the Office mailed Notification of Acceptance (Form PCT/DO/EO/903) giving the application the date 15 February 2002 for the date of receipt for both the 35 U.S.C. §371(c)(1), (c)(2), and (c)(4) requirements and for all of the 35 U.S.C. §371 requirements.

On 28 October 2003, applicants filed the instant petition seeking a corrected Notification of Acceptance.

On 16 March 2004, applicants submitted a copy of the 28 October 2003 submission, via facsimile.

DISCUSSION

Those requirements of 35 U.S.C. §371(c) are, in part, submission of (1) the national fee; (2) a copy of the international application; and (4) an oath or declaration of the inventor.

The record reflects that on 28 December 2000, the Office received (2) the international application; that on 29 November 2001, the Office received, (1) the national fee and that on 04 January 2002, the Office received a declaration of the inventors.


The Notification of Acceptance (Form PCT/DO/EO/903) lists the receipt date of the 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) requirements and the date of completing all of the 35 U.S.C. 371 requirements as 15 February 2002. However, as discussed above, the §371(c)(1), (c)(2) and (c)(4) requirements were met on 04 January 2002.

CONCLUSION

For the above reasons, applicants' petition under 37 CFR 1.181 is GRANTED.

The Notification of Acceptance (Form PCT/DO/EO/903) mailed 08 March 2002 is VACATED.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision, including the mailing of a new Notification of Acceptance (Form PCT/DO/EO/903) and filing receipt. The receipt date of the 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) requirements is 04 January 2002.



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